

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Antonio Mariello Waring**

**Docket No. 5:16-CR-267-1BR**

**Petition for Action on Supervised Release**

COMES NOW Taylor R. O'Neil, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Antonio Mariello Waring, who, upon an earlier plea of guilty to Felon in Possession of a Firearm 18 U.S.C. § 922(g)(1), 18 U.S.C. § 924(a)(2), was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on May 1, 2017, to the custody of the Bureau of Prisons for a term of 21 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Antonio Mariello Waring was released from custody on December 06, 2017, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On October 2, 2018, a modification was signed by the court adding the condition of the MRT program in response to the defendant failing to obtain employment. The defendant began the MRT program and, with the professional discretion of the provider, was alternatively placed in co-occurring individual treatment. The defendant did not present as cognitively prepared for MRT; he remains in individual treatment until the provider deems him prepared to move forward. He is compliant to this treatment thus far. Additionally, not only has the defendant failed to maintain meaningful contact with the USPO after having a fall out in his residence situation; he has also failed to maintain compliance to the Surprise Urinalysis Program. On January 3, 2019, the defendant did admit to using marijuana on or about November 22, 2018, however, there is no test to verify same due to the lack of compliance. A test was collected on January 3, 2019 and the court will be updated with those results, if unfavorable.

The defendant has reestablished his residence and has made an agreement to engage fully in treatment and testing. He is able to identify and admit to his non-compliance. The recommendation will be to place the defendant on location monitoring with a curfew while allowing him to demonstrate his dedication and motivation to treatment, reentry, and overall, his conditions of supervision. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for no more than 90 days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

**Antonio Mariello Waring**  
**Docket No. 5:16-CR-267-1BR**  
**Petition For Action**  
**Page 2**

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising U.S. Probation Officer

/s/ Taylor R. O'Neil  
Taylor R. O'Neil  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8698  
Executed On: January 03, 2019

**ORDER OF THE COURT**

Considered and ordered this 3 day of January, 2019, and ordered filed and  
made a part of the records in the above case.

\_\_\_\_\_  
W. Earl Britt  
Senior U.S. District Judge

A handwritten signature in black ink, appearing to read "W. Earl Britt", written in a cursive style.